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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/693,469	10/24/2003	Ted J. Reffett	STD 1141 PA/41213.507	2532	
759	90 09/13/2006		EXAM	EXAMINER	
DINSMORE & SHOHL LLP Suite 500			BATTULA, PRADI	EEP CHOUDARY	
One Dayton Centre			ART UNIT	PAPER NUMBER	
Dayton, OH 45402-2023			3722		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/693,469	REFFETT, TED J.				
Office Action Summary	Examiner	Art Unit				
	Pradeep C. Battula	3722				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONED	l. ely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status	•					
Responsive to communication(s) filed on <u>24 Oct</u> This action is FINAL . 2b) ☑ This Since this application is in condition for allowant closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro					
Disposition of Claims						
4) Claim(s) <u>1-41</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) <u>1 - 41</u> are subject to restriction and/or	vn from consideration.					
Application Papers						
9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the of Replacement drawing sheet(s) including the correction and the correction of the oath or declaration is objected to by the Examiner	epted or b) objected to by the Edrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119	•					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s)						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary (Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	te				

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DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species: Species 1 including Figures 1 – 5; Species 2 including Figure 6; Species 3 including Figure 7; Species 4 including Figure 8; Species 5 including Figure 9. The species are independent or distinct because:

Species 1 differs from Species 2 because Species 2 has one label where the orientation has changed from Species 1 along with an added printed indicator for the user.

Species 1 differs from Species 3 because Species 1 has a co-planar alignment of the shipping label and packing list label but Species 3 has the shipping label portion overlapping the packing list portion via a glue layer.

Species 1 differs from Species 4 because Species 1 has a co-planar alignment of the shipping label and packing list label but Species 4 has the shipping label portion overlapping the packing list portion by removing the second ply and using the adhesive layer of the first play to overlap the second portion.

Species 4 differs from Species 5 because Species 5 is a coplanar arrangement just like Figure 1 and combines it with the overlap section of Species 4.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no generic claims have been identified as allowable.

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Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

A telephone call was made to Attorney John D. Reed on September 6, 2006, to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pradeep C. Battula whose telephone number is 571-272-2142. The examiner can normally be reached on Monday - Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PCB
Patent Examiner
September 6, 2006

MONICA CARTER
SUPERVISORY PATENT EXAMINER